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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,486	12/24/2001	Ken Igarashi	3815/146	9280

7590

02/14/2005

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New York, NY 10022

EXAMINER

BATES, KEVIN T

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 02/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/026,486

Applicant(s)

IGARASHI, KEN

Examiner

Kevin Bates

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1-7-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to a communication made on December 24, 2001.

The Foreign Priority Documents were received on April 17, 2002.

The Preliminary Amendment was received on October 16, 2003.

The Information Disclosure Statement was received on January 7, 2004.

Claims 1-8 are pending in this application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 5, and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Dowling (6574239).

Regarding claims 1, 3, 5, and 7, Dowling discloses a proxy service control method for executing on behalf of an application stored in a user's terminal (Figure 2, element 215 and 220), a service being provided on a session get between the application and a server (Column 10, lines 44 – 47), the method being characterized by comprising: a storage step of storing session information on said session in response to said user's request (Column 10, lines 16 – 29); a monitor step of monitoring whether

or not said session is being continued between said application and said server (Column 9, lines 28 – 39); a proxy step of continuing said session with said server on behalf of said application on the basis of said session information stored in said storage step if it is determined in said monitor step that said session has been interrupted (Column 9, lines 40 – 60); and a transfer step of transferring said service on said session received in said proxy step, to said application (Column 9, lines 56 – 60).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling in view of Jamtgaard (6430624).

Regarding claims 2, 4, 6, and 8, Dowling does not explicitly indicate that the system comprises a detection step of detecting an ability of said application to receive said service and a conversion step of converting said service on said session received in said proxy step, into a different reception form on the basis of said ability detected in the detection step and in that said transfer step transfers said service in said reception form converted in said conversion step. Jamtgaard teaches a proxy system that acts as a conversion system between a server and a user device (Column 2, lines 54 – 59). Jamtgaard's system discloses a detection step of detecting an ability of said application

to receive said service and a conversion step of converting said service on said session received in said proxy step, into a different reception form on the basis of said ability detected in the detection step and in that said transfer step transfers said service in said reception form converted in said conversion step (Column 2, line 60 – Column 3, line 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Jamtgaard's formation conversion system in Dowling's proxy server in order to allow one content server to provide content for any combination of devices, protocols, and mark up languages (Column 1, line 60 – Column 2, line 3).

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 5961593 issued to Gabber, because it discloses having a proxy server between an application and a content site that maintains a communication session.

U. S. Patent No. 6269402 issued to Lin, because it discloses having a proxy server maintain a session even if the session becomes disconnected.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB

KB
February 9, 2005


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER